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**TERMINAL DISCLAIMER TO PREVENT A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)
Cognio63US3

In re Application of: Karl A. MILLER

Application No.: 10/628,603

Filed: July 28, 2003

For: System and Method for Classifying Signals Using Timing Templates, Power Templates and Other Techniques

The owner*, Cognio, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term **prior patent** No. 7035593 B2 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the **prior patent**, "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later:

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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 34,597

D. Andrew Floam
Signature

July 10, 2006
Date

07/12/2006 RMEBRAHT 00000056 10628603

D. Andrew Floam
Typed or printed name

02 FC:2814

65.00 OP

(301) 424-3640
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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